

REMARKS

Upon entry of the amendments, claim 1 will be pending.

Regarding the Amendments

Claim 1 has been amended to recite the proper SEQ ID NO for each corresponding amino acid sequence listed in the claim. As such, this amendment merely addresses a formality and does not add new matter.

Regarding the Claim Objection

Claim 1 is objected to for reciting amino acid sequences without providing the requisite “SEQ ID NO:” for each listed sequence. Claim 1 has been amended to recite the proper SEQ ID NO for each corresponding amino acid sequence. Accordingly, it is respectfully requested that this objection be withdrawn.

Obviousness Type Double Patenting Rejection

Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,337,317 (“‘317 patent”). The rejection is respectfully traversed.

A Terminal Disclaimer, disclaiming any term of a patent issuing from the subject application that may extend beyond the term of the ‘317 patent, is submitted herewith. Accordingly, it is respectfully requested that this rejection of the claim be removed.

In re Application of:
Hancock and Zhang.
Application No.: 10/042,872
Filed: January 8, 2002
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PATENT
Attorney Docket No.: UBC1170-1

CONCLUSION

In view of the amendment and the above remarks, it is submitted that the claims are in condition for allowance, and a notice to that effect is respectfully requested. The Examiner is invited to contact Applicants' undersigned representative if there are any questions relating to this application.

Please charge any additional fees, or make any credits, to Deposit Account No. 50-1355.

Respectfully submitted,

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